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21909	7590	09/25/2006	EXAMINER	
CARR LLP 670 FOUNDERS SQUARE 900 JACKSON STREET DALLAS, TX 75202			LEE, JUSTIN YE	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/626,056

**Applicant(s)**

FONG ET AL.

**Examiner**

Justin Y. Lee

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 2 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. Because of the arguments were on the newly amended limitations, therefore the current Office action is made final.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3, 5-16 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US Patent Number 6,516,196) in view of Sorokine et al. (US Patent Number 6,430,414) and further in view of the Admitted Prior Art (Background of the Invention, page 2 of present disclosure) and Kang (US Patent Number 6,625,137 B1) (all four referred as "the combination").

Regarding claim 3, Chen et al. discloses a base station controller (BSC / BSC1 - Figure 1), comprising:

an active set generator (column 3, lines 15-31); and  
a reduced active set (subset) generator (402 - Figure 4; column 3, lines 15-20; column 5, lines 23-28), wherein the reduced active set generator employs output of the

active set generator (the active set is used to generate the reduced set / subset)  
(column 4, lines 30-34; column 6, lines 53-67; BSC perform calculations of reduced  
active set - column 8, lines 38-40; column 10, lines 28-30).

Chen et al. further includes base transceiver stations (BTS - Figures 1, 3). The  
reduced active set (subset) includes particular BTS and can be more than one BTS  
(e.g. BTS2 and BTS3 - column 6, lines 10-23).

Wherein each BTS of the reduced active set transmits in supplemental channels  
SCH (col. 5, lines 23-24 and lines 48-50 and col. 6, lines 10-23, all of the BTS of the  
reduced active set communicate to a MS in SCH and set up of SCH is required between  
the reduced active set BTS and MS).

The BSC is configured to create indicia of the reduced active set (column 4, lines  
30- 34; column 6, lines 53-67; column 8, lines 38-40; column 10, lines 28-30).

However, Chen et al. is silent as to that the indicia is sent to the BTS as claimed.

In the same field of endeavor, Sorokine et al. teaches a BSC that sends to a BS  
(BTS) a NLUM (equivalent to claimed reduced active set or subset of Chen et al.) (see  
Figure 3: "BSC SENDING NLUM TO BS" and corresponding discussion in Sorokine et  
al.'s disclosure). Some advantages of Sorokine et al.'s teachings are optimization of the  
neighbor list, improved efficiency and uninterrupted connection during soft handoff  
(column 5, lines 46-55).

Therefore, it would have been obvious to a person of ordinary skill in the art at  
the time the invention was made to provide Chen et al.'s BTS with indicia of the reduced  
active set from the BSC as taught by Sorokine et al. for the advantage of optimization of

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the neighbor list, improved efficiency and uninterrupted connection during soft handoff as explained above.

Furthermore, Chen et al. and Sorokine et al. are silent as to the particular use of RDCCCH as claimed.

The prior art admitted by applicant under the Background of the Invention, page 2 of present disclosure (simply "Admitted Prior Art" herein) teaches these are particular requirements of conventional CDMA systems. Because Chen et al. and Sorokine et al.'s systems are in fact CDMA systems (see column 1, lines 31-33 of Chen et al., and title of Sorokine et al., inter alia), all teachings are combinable.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide Chen et al. and Sorokine et al.'s invention with the claimed use of RDCCCH in order to comply with system requirements as taught by the Admitted Prior Art and also because this would have been the best engineering design choice.

However, the combination does not disclose clearly that setting up supplemental channels SCH with mobile station MS requires sending control information by the BTS of the reduced active set to MS.

Kang further discloses setting up supplemental channels SCH with mobile station MS requires sending control information by the BTS of the reduced active set to MS (col. 9, lines 1-17, a base station need to send a "supplemental channel assignment message" to the mobile station in order for the mobile station to know number of supplemental code channels and duration for the connection).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Kang into the teachings of Chen et al. and Sorokine et al. and the Admitted Prior Art for the purposes of efficient use of the resources (col. 7, lines 3-6).

Regarding claim 5, the combination discloses everything claimed as applied above (see rejection of claim 3). In addition, Chen et al. discloses wherein the BSC is configured to send indicia of the reduced active set to a BTS (BSC communicates set to MS via BTS - column 4, lines 14-41; column 6, lines 53-67; column 8, lines 38-40).

Regarding claim 6, the combination discloses everything claimed as applied above (see rejection of claim 3). In addition, Chen et al. discloses wherein the active set generator employs measurements of at least one pilot channel energy strength (column 3, lines 15-20; column 6, line 62; column 7, line 40).

Regarding claims 7-8, the combination discloses everything claimed as applied above (see rejection of claim 3). In addition, the prior art admitted by applicant under the Background of the Invention, page 2 of present disclosure (simply "Admitted Prior Art" herein) teaches these are particular requirements of conventional CDMA systems. Because Chen et al.'s system is in fact a CDMA system (column 1, lines 31-33), both teachings are combinable.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the combination with the BSC commanding

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an RDCCCH or RSCACH channel to be used if the number of entries in the reduced active set is greater than one in order to comply with system requirements as taught by the Admitted Prior Art and also because this would have been the best engineering design choice.

Regarding claim 9, Chen et al. discloses a mobile station (MS - Figure 1), comprising:

means for extracting information employable to determine a set of members of an active set (column 3, lines 15-31);

means for extracting information employable to determine a set of members of a reduced active set (subset) (402 - Figure 4; column 3, lines 15-20; column 5, lines 23-28) (the active set is used to generate the reduced set / subset) (column 4, lines 30-34; column 6, lines 53-67; BSC perform calculations of reduced active set - column 8, lines 38-40; column 10, lines 28-30);

means for receiving information on supplemental channel SCH from each member of the reduced active set when more than one as claimed [Chen et al. further includes base transceiver stations (BTS - Figures 1, 3). The reduced active set (subset) includes particular BTS and can be more than one BTS (e.g. BTS2 and BTS3 - column 6, lines 10-23). Wherein each BTS of the reduced active set transmits in supplemental channels SCH (col. 5, lines 23-24 and lines 48-50 and col. 6, lines 10-23, all of the BTS of the reduced active set communicate to a MS in SCH and set up of SCH is required between the reduced active set BTS and MS).

The BSC is configured to create indicia of the reduced active set (column 4, lines 30-34; column 6, lines 53-67; column 8, lines 38-40; column 10, lines 28-30)]; and means for selecting a congestion control scheduling mode if the reduced active set comprises more than one member (reduced active set is used for congestion control - column 5, lines 43-46. At least inherently "if the reduced active set comprises more than one member" because there is no need to perform congestion control if the number is just one).

The explained reduced active set (subset) includes data rate mode channels for a reverse link (406 - Figure 4; column 9, lines 38-42). However, Chen et al. is silent as to that the data rate mode channels for a reverse link are received at the MS as claimed; therefore, silent about the means for receiving such.

In the same field of endeavor, Sorokine et al. teaches a BSC that sends to a BS (BTS) a NLUM (equivalent to claimed reduced active set or subset of Chen et al.); then the NLUM is sent from BS to MS (see Figure 3: "BSC SENDING NLUM TO BS" and "BS SENDING NLUM TO MS" and corresponding discussion in Sorokine et al.'s disclosure). Some advantages of Sorokine et al.'s teachings are optimization of the neighbor list, improved efficiency and uninterrupted connection during soft handoff (column 5, lines 46-55).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide Chen et al.'s MS with data rate mode channels for a reverse link as taught by Sorokine et al. for the advantage of



optimization of the neighbor list, improved efficiency and uninterrupted connection during soft handoff as explained above.

Furthermore, Chen et al. and Sorokine et al. are silent as to the particular use of RDCCCH as claimed.

The prior art admitted by applicant under the Background of the Invention, page 2 of present disclosure (simply "Admitted Prior Art" herein) teaches these are particular requirements of conventional CDMA systems. Because Chen et al. and Sorokine et al.'s systems are in fact CDMA systems (see column 1, lines 31-33 of Chen et al., and title of Sorokine et al., inter alia), all teachings are combinable.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide Chen et al. and Sorokine et al.'s invention with the claimed use of RDCCCH in order to comply with system requirements as taught by the Admitted Prior Art and also because this would have been the best engineering design choice.

However, the combination does not disclose clearly that setting up supplemental channels SCH with mobile station MS requires sending control information by the BTS of the reduced active set to MS.

Kang further discloses setting up supplemental channels SCH with mobile station MS requires sending control information by the BTS of the reduced active set to MS (col. 9, lines 1-17, a base station need to send a "supplemental channel assignment message" to the mobile station in order for the mobile station to know number of supplemental code channels and duration for the connection).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Kang into the teachings of Chen et al. and Sorokine et al. and the Admitted Prior Art for the purposes of efficient use of the resources (col. 7, lines 3-6).

Regarding claims 10-11, 14-16, the combination discloses everything claimed as applied above (see rejection of claim 9). In addition, Chen et al. further discloses means for selecting an explicit scheduling mode if the number of members of the reduced active set is equal to one; or means for selecting a congestion control mode if the number of members in the reduced active set is equal to one (see citations above).

The MS is configured to extract a reverse link channel data rate from the explicit control data rate channel. The MS is configured to extract reverse link channel data rate from the congestion control data rate channel. And transmit over a reverse link at the lower of the two data rates extracted from a plurality of congestion control channels (once data rate is determined MS transmits via reverse link at the given data rate - abstract; column 3, lines 1-31; column 7, lines 1-24; inter alia).

Regarding claim 12-13, the combination discloses everything claimed as applied above (see rejection of claim 9). In addition, Chen et al. discloses means for receiving a plurality of explicit data rate mode channels; and means for selecting one of a plurality of explicit data rate mode channels (abstract; column 3, lines 15-31, inter alia).

Regarding claim 22, Chen et al. discloses a system for setting a reverse link channel data rate through use of an active set and a reduced active set, comprising:

at least one base transceiver station (BTS - Figure 1; column 4, lines 14-66); and a base station controller (BSC - Figure 1; column 4, lines 14-66) coupled to each of the at least one BTSs, the BSC configured to generate the reduced active set (subset) (402 - Figure 4; column 3, lines 15-20; column 5, lines 23-28) (the active set is used to generate the reduced set / subset) (column 4, lines 30-34; column 6, lines 53-67; BSC perform calculations of reduced active set- column 8, lines 38-40; column 10, lines 28-30).

Chen et al. further includes base transceiver stations (BTS - Figures 1, 3). The reduced active set (subset) includes particular BTS and can be more than one BTS (e.g. BTS2 and BTS3- column 6, lines 10-23).

Wherein each BTS of the reduced active set transmits in supplemental channels SCH (col. 5, lines 23-24 and lines 48-50 and col. 6, lines 10-23, all of the BTS of the reduced active set communicate to a MS in SCH and set up of SCH is required between the reduced active set BTS and MS). The BSC is configured to create indicia of the reduced active set (column 4, lines 30- 34; column 6, lines 53-67; column 8, lines 38-40; column 10, lines 28-30).

However, Chen et al. is silent as to that the indicia is sent to the BTS as claimed.

In the same field of endeavor, Sorokine et al. teaches a BSC that sends to a BS (BTS) a NLUM (equivalent to claimed reduced active set or subset of Chen et al.) (see Figure 3: "BSC SENDING NLUM TO BS" and corresponding discussion in Sorokine et

al.'s disclosure). Some advantages of Sorokine et al.'s teachings are optimization of the neighbor list, improved efficiency and the interrupted connection during soft handoff (column 5, lines 46-55).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide Chen et al.'s BTS with indicia of the reduced active set from the BSC as taught by Sorokine et al. for the advantage of optimization of the neighbor list, improved efficiency and uninterrupted connection during soft handoff as explained above.

Furthermore, Chen et al. and Sorokine et al. are silent as to the particular use of RDCCCH as claimed.

The prior art admitted by applicant under the Background of the Invention, page 2 of present disclosure (simply "Admitted Prior Art" herein) teaches these are particular requirements of conventional CDMA systems. Because Chen et al. and Sorokine et al.'s systems are in fact CDMA systems (see column 1, lines 31-33 of Chen et al., and title of Sorokine et al., *inter alia*), all teachings are combinable.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide Chen et al. and Sorokine et al.'s invention with the claimed use of RDCCCH in order to comply with system requirements as taught by the Admitted Prior Art and also because this would have been the best engineering design choice.

However, the combination does not disclose clearly that setting up supplemental channels SCH with mobile station MS requires sending control information by the BTS of the reduced active set to MS.

Kang further discloses setting up supplemental channels SCH with mobile station MS requires sending control information by the BTS of the reduced active set to MS (col. 9, lines 1-17, a base station need to send a "supplemental channel assignment message" to the mobile station in order for the mobile station to know number of supplemental code channels and duration for the connection).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Kang into the teachings of Chen et al. and Sorokine et al. and the Admitted Prior Art for the purposes of efficient use of the resources (col. 7, lines 3-6).

Regarding claim 23, the combination discloses everything claimed as applied above (see rejection of claim 22). In addition, Chen et al. discloses wherein the BTS is coupled to a BTS distribution logic (Figure 1; column 4, lines 14-66).

4. Claims 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US Patent Number 6,516,196) in view of Sorokine et al. (US Patent Number 6,430,414), further in view of the Admitted Prior Art (Background of the Invention, page 2 of present disclosure) and Kang (US Patent Number 6,625,137 B1), and further in view of Rohani (US Patent Number 5,999,522).

Regarding claim 4, the combination discloses everything claimed as applied above (see rejection of claim 3). In addition, Chen et al. discloses wherein the reduced set generator employs forward link channel signal strength to determine members of the reduced active set (signal strength received at MS from BTS - column 3, lines 15-20).

However, the combination fails to specifically disclose that the reduced active set is further determined based on reverse link channel signal strength measurements (signal strength received at BTS from MS) as claimed. Nevertheless, the technique of using both reverse and forward link channel signal strength measurements is conventional in the art for the advantage of obtaining more accurate results, and Rohani is just evidence of the fact.

Rohani discloses a reduced active set generator where both reverse and forward link channel signal strength measurements are used to determine the set (forward link: the mobile station measures the strength of pilot signals which then are used as a criteria to create a list of possible candidate pilot signals for future hand-off- column 1, lines 46-49) (reverse link: determining the candidate list / reduced active set includes measuring reverse link signal which are received at said plurality of sectors / base stations - abstract of Rohani).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use both reverse and forward link channel signal strength measurements as claimed for the advantage of obtaining more accurate results.

5. Claims 17-21 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US Patent Number 6,516,196) in view of Kang (US Patent Number 6,625,137 B1).

Regarding claim 17, Chen et al. discloses a method for dynamically switching between explicit reverse link channel data rate control and reverse link channel data rate congestion control, comprising:

generating a reduced active set (subset) (402 - Figure 4; column 3, lines 15-20; column 5, lines 23-28) (the active set is used to generate the reduced set / subset) (column 4, lines 30-34; column 6, lines 53-67; BSC perform calculations of reduced active set- column 8, lines 38-40; column 10, lines 28-30);

transmitting indicia of the reduced active set to an MS (BSC communicates set to MS via BTS - column 4, lines 14-41; column 6, lines 53-67; column 8, lines 38-40); and

if the number of members of the reduced active set is greater than one, each BTS of the reduced active set transmits in supplemental channels SCH (col. 5, lines 23-24 and lines 48-50 and col. 6, lines 10-23, all of the BTS of the reduced active set communicate to a MS in SCH and set up of SCH is required between the reduced active set BTS and MS).

However, Chen does not disclose clearly that setting up supplemental channels SCH with mobile station MS requires sending reverse link channel data rate control information by the BTS of the reduced active set to MS.

Kang further discloses setting up supplemental channels SCH with mobile station MS requires sending control information by the BTS of the reduced active set to MS

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(col. 9, lines 1-17, a base station need to send a "supplemental channel assignment message" to the mobile station in order for the mobile station to know number of supplemental code channels and duration for the connection).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Kang into the teachings of Chen et al. for the purposes of efficient use of the resources (col. 7, lines 3-6).

Regarding claim 18-19, Chen et al. and Kang disclose everything claimed as applied above (see rejection of claim 17). In addition, Chen et al. discloses wherein the step of generating a reduced active set employs the members of an active set (column 3, lines 15-31). And extracting data rate information in congestion control mode by a mobile station (reduced active set is used for congestion control by a mobile station - column 5, lines 43-46).

Regarding claims 20-21, Chen et al. and Kang disclose everything claimed as applied above (see rejection of claim 17). In addition, Chen et al. further discloses wherein if the numbers of the members of the reduced active set is equal to one, transmitting reverse link channel data rate control information in a explicit control mode. And extracting data rate information in explicit mode by a mobile station (see citations above).

Regarding claims 24-26, they are corresponding computer program product, processor and system claims of method claim 17; therefore, they are rejected for the same reasons shown above.



***Response to Arguments***

6. Applicant's arguments filed 9/19/06 have been fully considered but they are not persuasive.

Regarding the Chen reference, applicant states, Chen describes a system in which only one BTS transmits control information.	<p>In contrast to applicant's assertions, Chen discloses all of the BTS of the reduced active set communicate in supplemental channel SCH, but does not clearly disclose that during the set up of the SCH the BTS need to transmit control information to a mobile station (col. 5, lines 23-24 and lines 48-50 and col. 6, lines 10-23).</p> <p>In Kang reference, Kang further discloses setting up supplemental channels SCH with mobile station MS requires sending control information by the BTS of the reduced active set to MS (col. 9, lines 1-17, a base station need to send a "supplemental channel assignment message" to the mobile station in order for the mobile station to know number of</p>
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	<p>supplemental code channels and duration for the connection).</p> <p>The purposes of that is to have efficient use of the resources (col. 7, lines 3-6).</p>
<p>Regarding Sorokine reference, applicant states that, since Sorokine is directed to early and quick handoffs rather than the time an MS is in soft handoff, the Applicant's respectfully submit that a person of ordinary skill in the art would have no motivation to modify Chen with Sorokine to provide the claimed invention.</p>	<p>In response to applicant's argument that Sorokine is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See <i>In re Oetiker</i>, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Sorokine reference is directed to wireless communication in CDMA system which is in the same field of endeavor as Chen reference which is also directed to wireless communication in CDMA and also</p>

	in the same field of endeavor as the current application, i.e. wireless communication in CDMA.
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***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Y. Lee whose telephone number is (571) 272-5258. The examiner can normally be reached on M - F 8:30 to 6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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9/19/06

  
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SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600